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/Elizabeth M. Quirk/

July 24, 2008

Elizabeth M. Quirk

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/823,492
Applicants : Clint Dee Winton Brooks
Filed : 04/13/2004
Title : Skin and Hair Treatment Composition and Process for Using Same
Resulting in Controllably-Releasable Fragrance and/or Malodour
Counteractant
Art Unit : 1651
Confirmation No. : 4948
Examiner : Lakshmi Sarada Channavajjala
Attorney Docket No. : IFF-72

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 CFR § 1.130 TO DISQUALIFY COMMONLY
OWNED PATENT AS PRIOR ART**

Sir:

Applicants hereby submit that the instant patent application and U.S. Patent 7,119,057; 7,112,512; 7,125,835 and 7,294,612 and U.S. Application 10/460,610 were were, at the time the invention of the instant application was made, commonly owned by International Flavors & Fragrances Inc. and Lewis Michael Popplewell is named as inventor in the present Application Serial No. 10/823,492 and in U.S. Patent 7,119,057; 7,112,512; 7,125,835 and 7,294,612 and U.S. Application 10/460,610.

Executed Terminal Disclaimer and Statement Under 37 CFR 3.73(b) forms are enclosed herewith.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

/s/ /Elizabeth M. Quirk/

Date July 24, 2008

Elizabeth M. Quirk
Patent and Trademark Counsel
Reg. No. 53,646